

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEW MEXICO**

UNITED STATES OF AMERICA,

Plaintiff,

vs.

CR 2016 – 2725 MCA

CHRISTIAN BEGAY,

Defendant.

**UNOPPOSED
MOTION TO EXTEND TIME TO FILE MOTIONS
AND TO CONTINUE TRIAL**

COMES NOW the Defendant CHRISTIAN BEGAY, by and through his attorney DANIEL J. TALLON, and moves the Court to extend the time to file motions until Monday, October 31, 2016 and to continue the current November 7, 2016 trial date to the December 2016 trial calendar. As grounds for this motion, counsel states:

1. Christian Begay was indicted on June 15, 2016. Mr. Begay was arraigned on the indictment on June 23, 2016. Undersigned counsel was appointed to represent Mr. Begay pursuant to the Criminal Justice Act on or about May 27, 2016. Mr. Begay has been detained pending trial and is housed at Sandoval County Detention Center.

2. Undersigned counsel has been provided with discovery materials. Defense counsel may have additional specific discovery requests. Counsel's investigation in the Shiprock, New Mexico area of Indian country is ongoing. The current motions deadline is September 26, 2016. The current trial date is November 7, 2016.

3. Defense counsel needs to continue and complete review of all the discovery with the client. Counsel continues to consult with his investigator regarding the planning and results

of his investigation. Counsel will need additional time to conduct investigation, to perform legal research, and will need additional time to file motions, if motions become necessary.

4. Plea negotiations towards disposition of the case have been initiated. For the reasons stated above, it is requested that the motions deadline be extended to Monday, October 31, 2016 and that the November 7, 2016 trial be continued to the December 2016 trial calendar.

5. Mr. Begay understands and agrees that, with reference to 18 U.S.C. §3161(h)(7)(A), granting the relief sought by this motion is in his interests; is not contrary to the public interest; and that the ends of justice are served by granting his request. Counsel believes that the end of justice served by continuing the November 7, 2016 trial in this cause outweigh the best interests of the public and Mr. Begay's legal interests.

6. On September 26, 2016, defense counsel emailed Assistant United States Attorney Elaine Y. Ramirez to determine the United States' position as to this motion. Ms. Ramirez stated that the United States does not oppose the relief sought by this motion.

WHEREFORE, the Defendant requests that the Court grant an extension of time to Monday, October 31, 2016 to file motions; make an order to continue the November 7, 2016 trial to the December 2016 trial calendar; and grant such other relief as to the Court seems just and proper.

Respectfully submitted,

Electronically Filed on September 26, 2016

DANIEL J. TALLON
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Daniel J. Tallon hereby certifies that a copy of the foregoing was electronically filed and thereby also delivered by electronic means to Assistant U.S. Attorney Elaine Y. Ramirez and all counsel of record on the 26th day of September 2016.

Daniel J. Tallon
